

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUVENON INC,

No. C 04-04804 SI

Plaintiff,

**ORDER DENYING DEFENDANT'S
MOTION TO DISMISS AND/OR FOR
SUMMARY JUDGMENT WITHOUT
PREJUDICE; EXTENDING STAY TO
JULY 27, 2007; VACATING HEARING**

v.

VITACOST.COM INC,

Defendant.

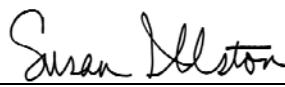
Defendant's motions to dismiss and/or for summary judgment are DENIED without prejudice. This action is stayed until July 27, 2007 and both the hearing and case management conference now scheduled for Friday, April 13, 2007 are VACATED.

If the office action now pending in the PTO has not been completed by July 27, 2007, this action will be ADMINISTRATIVELY CLOSED without prejudice to re-institution when/if the PTO proceedings are finalized and the relevant claims remain intact.

The parties shall file a joint status report no later than July 13, 2007 informing the Court of the status of the matter.

IT IS SO ORDERED.

Dated: April 11, 2007



SUSAN ILLSTON
United States District Judge